

REMARKS

By this Amendment, claims 1-18, and FIG. 1 are amended. Support for the amendment to the claims may be found, for example, in FIG. 3 and its corresponding description in the specification. No new matter has been added. Claims 1-13 and 14-18 have also been amended to remove the parenthetical references to features described in the specification. This is intended not only to place the claims in proper U.S. format but also to broaden the scope of the claims accordingly. Accordingly, after entry of this Amendment, claims 1-18 will remain pending in the patent application. Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the Office Action, the drawings were objected to. In response, FIG. 1 has been amended in the manner suggested by the Office Action. Namely, reference character "11", which designates the "Intra-oper. Backbone" in FIG. 1, has been replaced by reference character "13." A replacement sheet including FIGS. 1-2 is enclosed herewith. Accordingly, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

Claims 5-15 were objected to under 37 C.F.R. 1.75(c) as being in improper dependent form. In response, claims 5-15 have been amended to place them in proper dependent form. It is respectfully submitted that the next Office Action must treat claims 5-15 on the merits, and in the event the next Office Action enters any ground of rejection against claims 5-15, such Office Action must be non-final. Accordingly, reconsideration and withdrawal of the objection to claims 5-15 are respectfully requested.

Claims 1, 16 and 18 were objected to because of informalities noted in the Office Action. In response, claims 1, 16 and 18 have been amended to remove the parenthetical references to features described in the specification, in accordance with the Office Action's suggestion. Accordingly, reconsideration and withdrawal of the objection to claims 1, 16, and 18 are respectfully requested.

Claims 1-4 and 16-18 were rejected under 35 U.S.C. §112, second paragraph. The rejection is respectfully traversed.

In connection with the rejection of claims 1 and 16, the Office Action indicated that there was insufficient antecedent basis for the limitations "the mobile communication system (HPLMN)," "the transmission path," and "the data flow." In response, claims 1 and 16 have been amended to remove the parenthetical references to "HPLMN" and "HPLMN, VPLMN,"

to change the language “transmission path” into “data transmission path,” and to recite that the profile is indicated by the profile tag associated with each of the data flows.

With respect to the rejection of claim 4, Applicants have amended this claim to remove the term “substantially”.

It is respectfully submitted that the amendments to claims 1, 4 and 16 obviate the rejection of claims 1-4 and 16-18. Accordingly, reconsideration and withdrawal of the rejection of claims 1-4 and 16-18 are respectfully requested.

Claims 1-4 and 16-18 were rejected under 35 U.S.C. 103(a) based on Forsl w (U.S. Pat. No. 6,608,832) in view of Elliot *et al.* (U.S. Pat. No. 6,335,927) (hereinafter “Elliot”). Applicants respectfully traverse the rejection because the prior art references, analyzed individually or in combination, fail to disclose, teach or suggest all the features recited in the rejected claims.

For example, Forsl w and Elliot, analyzed individually or in combination, fail to disclose, teach or suggest a method for transmitting data packets in multiple data flows to/from a mobile station in a mobile communications system having a packet data transmission capability, the method comprising, *inter alia*, associating multiple profiles with the data transmission path, each profile comprising several quality parameters; providing each of said multiple data flows with a profile tag indicating one of the multiple profiles associated with the data transmission path in question; and scheduling and policing the transmission of individual data packets on the basis of said several quality parameters of the profile indicated by the profile tag associated with each of the data flows in question, as recited in independent claim 1 and its dependent claims.

Similarly, the cited prior art fails to disclose, teach or suggest an apparatus for transmitting data packets in multiple data flows in a mobile communications system having a packet data transmission capability, the apparatus being arranged to, *inter alia*, associate multiple profiles with the data transmission path, each profile comprising several quality parameters; provide each of said multiple data flows with a profile tag indicating one of the multiple profiles associated with the data transmission path in question; and schedule and police the transmission of individual data packets on the basis of said several quality parameters of the profile indicated by the profile tag associated with each of the data flows in question, as recited in independent claim 16 and its dependent claims.

Forsl w merely relates to a mobile communication network that provides quality of services for several applications. Forsl w discloses that each application flow has a corresponding quality of service request. (*See* col. 5, lines 66-67). However, Forsl w is

completely silent about associating multiple profiles with the data transmission path, each profile comprising several quality parameters. Although Forsl w discloses that the Home Location Register (HLR) may store several profiles, each profile in the HLR relates to a single subscriber or mobile station. It is respectfully noted that Forsl w only uses the singular form of “profile” when it relates to a single subscriber or to a transmission path leading to a single subscriber. Applicants also note that the first passage of Forsl w (col. 4, line 61 – col. 5, line 21) cited by the Office Action merely teaches that different applications need different parameters, and that the second passage (col. 14, lines 1-13) merely provides an example of multiple parameters (but not multiple profiles) that may be associated with a single bearer.

Elliot fails to remedy the deficiencies of Forsl w. Elliot merely relates to a system for media communication over a hybrid network that includes a circuit switched network and a packet switched network. However, there is no discussion in Elliot about associating multiple profiles with the data transmission path, each profile comprising several quality parameters. Furthermore, Elliot is completely silent about providing each of said multiple data flows with a profile tag indicating one of the multiple profiles associated with the data transmission path in question. In Elliot, the packets are classified and labeled with a priority tag if they belong to a priority flow. (See col. 19, line 45). Therefore, in Elliot a tag is merely associated with a single parameter (namely the “priority” parameter), not with a profile that comprises several parameters.

In fact, Elliot teaches away from this latter implementation because, according to Elliot’s teaching, a separate tag would be required for each parameter. As a result, several tags would be used to indicate a same profile. By contrast, a single profile tag is used to indicate all parameters in the profile in the present invention. Applicants note that the present invention makes it much more practicable to convey several different data flows over a transmission path because the profile of each data flow needs to be identified with a single profile tag, as opposed to redefining all the quality parameters for each different data flow, as in the prior art. Therefore, any reasonable combination of Forsl w and Elliot cannot result in any way in the invention of claims 1 and 16.

Claims 2-4 depend from claim 1 and are therefore patentable for at least the same reasons provided above in connection with claim 1 and for the additional features recited therein. Similarly, claims 17-18 depend from claim 16 and are therefore patentable for at least the same reasons provided above in connection with claim 1 and for the additional features recited therein.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-4 and 16-18 were rejected under 35 U.S.C. 103(a) based on Forsl w in view of Elliot are respectfully requested.

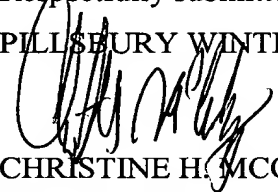
All objections and rejections having been addressed, Applicants respectfully submit that the application is in condition for allowance, and a notice to that effect is earnestly solicited.

If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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Attachment: Replacement sheet

IN THE DRAWINGS:

The attached sheet of drawings includes a change to FIG. 1. This sheet, which includes FIGS. 1-2, replaces the original sheet including FIGS. 1-2. In FIG. 1, reference character "11" that designates the "Intra-oper. Backbone" has been replaced by reference character "13."